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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,761	08/01/2001	Clare L. Hoke JR.		2758

7590 06/03/2003

Clare L. Hoke Jr.
Suite 11
1318 N. Monte Vista Ave.
Upland, CA 91786

EXAMINER

BRITTAIN, JAMES R

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 06/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

The reply filed on March 17, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The substitute specification filed March 17, 2003 has not been entered because it does not conform to 37 CFR 1.125(b) because the statement as to a lack of new matter under 37 CFR 1.125(b) is missing (the statement must be in the form of a declaration including the statement of penalties) and a clean copy of the substitute specification has not been supplied (in addition to the marked-up copy), which is also required by 37 CFR 1.125. It is appreciated that applicant has filed a substitute specification that has been marked up. However, a submission in this form must be supplied in compliance with 37 CFR 1.125. See MPEP 608.01(q). The requirement of the Notice of Non-Compliant Amendment mailed January 15, 2003 must still be complied with. If applicant seeks to have a substitute specification entered then along with the marked-up copy there must also be a clean copy (double spaced) and a verified statement that the substitute specification contains no new matter. If applicant seeks to comply by providing a marked-up version of the replacement paragraphs then such would also fulfill the requirement of the Notice. It is noted that the specification sent by applicant September 21, 2001 does not match the proposed changes that applicant seeks to make because the portions applicant wants to delete are worded slightly differently than what applicant apparently has in his record. It is suggested that applicant carefully review his records so that the changes applicant wants to make are consistent with what applicant has already filed. For instance applicant proposes removing from page 3, line 13-18, "If the requirements of a particular design". However, page 3, lines 13-18 of the specification submitted September 21,

2001 does not begin with this. The closest passage to that applicant seeks to delete is found in the second paragraph of the Description of the Preferred Embodiments on page 3 that has a sentence that begins "If a particular design requires". This is different that what applicant seeks to delete and applicant should carefully review his records.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Brittain whose telephone number is 703-308-2222. The examiner can normally be reached on M, W & F 5:30-1:30, T 5:30-2:00 & TH 5:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 703-306-4115. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

A handwritten signature in black ink, appearing to read 'J. R. Brittain', with a stylized flourish at the end.

James R. Brittain
Primary Examiner
Art Unit 3677

JRB
June 2, 2003